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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Application No.: 09/716,960

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE
FUNCTION BY PERIPHERALLY ADMINISTERED
ERYTHROPOIETIN

Attorney Docket No.: 10165-009-999

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RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.143

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

In response to the Office Action dated January 8, 2002, and pursuant to Rule 143 of the Rules of Practice, please consider the remarks below. Applicants submit concurrently herewith: (1) a Petition to Extend Time (in duplicate) for a period of one month from February 8, 2002 up to and including March 8, 2002, accompanied by the appropriate fee; (2) a Supplemental Information Disclosure Statement, including revised PTO Form 1449 and legible copies of references CR-EF; and (3) Exhibit A: a copy of the pending claims.

REMARKS

The Examiner has required a restriction to one of the following inventions:

- | | |
|----------|---|
| Group I | Claims 1-6 and 8, drawn to a method comprising administering to a mammal EPO erythropoietin. |
| Group II | Claims 1-6 and 8, drawn to a method comprising administering to a mammal EPO receptor activity modulator, class dependent on EPO receptor activity modulator. |